

## ANNEX I

### **COLLECTION OF SAMPLES FOR DIAGNOSIS**

1. Tonsil and spleen tissues are considered vital for virus isolation and antigen detection. Preferably at least two other lymphatic tissues should be collected, such as the retropharyngeal, parotid, mandibular or mesenteric lymph nodes along with ileum or kidney. Each tissue sample should be placed in a separate sealed plastic bag and labelled. The samples should be transported and stored in leak-proof containers. They should not be frozen, but kept cool at a temperature of 4 °C and tested without delay.
2. Blood samples for virus isolation from leukocytes should be collected from pigs exhibiting signs of fever or other signs of the disease. EDTA or heparin should be used as anticoagulants. The samples must be kept cool at a temperature of 4 °C and taken to laboratory testing without delay.
3. Blood samples serving as a diagnostic aid for the detection of antibodies for the purposes of resolving clinical cases and surveillance within the protection zone should be taken from animals, which have recovered from suspect infection and from pigs known to have been in contact with infected or suspect cases. In such suspect holdings, all of the first 20 suspect or in-contact animals and 25% of any additional animals should be sampled. In order to ensure a high probability of detection of antibodies induced by the swine fever virus, samples should be collected from each unit of the holding as described above.

## ANNEX II

### **DETECTION OF ANTIBODIES TO THE CLASSICAL SWINE FEVER VIRUS**

The detection of CSF virus antibodies in blood samples is carried out to assist in the diagnosis of swine fever in holdings containing pigs showing clinical signs of the disease or in pigs believed to have been in contact with infected pigs. It may also be carried out for the purpose of surveillance or for surveys in herds of unknown status.

For these purposes, blood samples should be subjected to an approved test.

The following tests are approved for use and must be carried out with the inclusion of positive and negative serum controls.

The virus strains to be used for serological tests should be agreed at a meeting of the National Swine Fever Laboratories (NSFL) of the individual Member States, and issued as required by the Community Reference Laboratory for Classical Swine Fever to the NSFL, upon request.

All test procedures used must be shown to give satisfactory results with CSF reference sera supplied by the Community Reference Laboratory for Classical Swine Fever.

#### **The virus-neutralisation test**

This test is based on the determination of the neutralising 50% endpoint. Cultures are inoculated with mixtures of diluted serum and a constant amount of virus after a specified incubation period at 37 °C. The results are based on the absence of any viral replication detectable by an immune labelling system. Either neutralisation-immunofluorescence (NIF) or the neutralising peroxidase-linked antibody (NPL) assays must be used. Detailed protocols will be supplied by the EC Reference Laboratory for CSF as required.

For screening purposes, the sera are initially diluted 1/10. When a full titration is necessary two-fold dilutions of serum starting at 1/10 should be prepared. Each dilution should be mixed with an equal volume of virus suspension containing 100 ( $\pm$  0.5 log<sub>10</sub>) infectious doses (TCID<sub>50</sub>). At least two cultures are used for each dilution. After an appropriate incubation period the cell cultures are fixed and viral antigen is detected by an immune labelling system. The results are expressed as the reciprocal of the initial serum dilution at which half the inoculated cell cultures fail to show any specific labelling. A point between two dilution levels is estimated.

## **The enzyme-linked immunosorbent assay (ELISA)**

Competitive, blocking and indirect techniques may be used on any suitable support. It is recommended that the tests used should minimise cross-reactions with BVDV and other pestiviruses. However, the test system must ensure identification of all CSF infections, and at all stages of the immune response to infection.

### *Antigen*

The antigen should be derived from or correspond to viral proteins of one of the recommended CSF virus strains. Cells used to prepare antigen should be free of any other pestivirus infection.

### *Antisera*

Polyclonal antisera for competitive or blocking assays should be raised in pigs or rabbits by infection with one of the recommended CSF virus strains or with the lapinised C strain. Monoclonal antibodies should be directed against or correspond to an immunodominant viral protein of CSF virus. Indirect assay should use an anti-porcine immunoglobulin reagent which detects both IgG and IgM.

The sensitivity of the ELISA should be high enough to score positive any serum reacting in the neutralisation test and also reference positive sera as issued by the Community Reference Laboratory for CSF.

The ELISA procedure may be used only with serum or plasma samples derived from individual pigs.

If the ELISA procedure used is not CSF-specific, positive samples should be further examined by differential tests

## Act XCI of 1995 on Veterinary rules<sup>1</sup>

### The Parliament

-- Having regard to the fact that the interests of the national economy are involved in the animal health security of the keeping of animals, the manufacturing, storage, utilization and marketing of the products of animal origin, the foodstuffs, the feedingstuffs and the veterinary medicinal products, and in meeting our domestic and international commitments deriving from it;

-- With a view to the continuous development of the standards and methods of epidemiology and hygiene of animal keeping, production of foodstuffs, veterinary medicinal products, feedingstuffs and products of animal origin and that of public health, animal welfare and environmental protection as regards animal health; ;

-- In order to enhance continuous cooperation with international organizations, and participation in the establishment of the conditions of harmonization with international regulation systems, and to provide appropriate legal framework for the exercise of animal health administration and the activity of official veterinarians

passes the following Act:

### CHAPTER I.

#### *Common Provisions*

#### *Scope of the Act*

#### Section 1

(1) The scope of the Act covers:

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<sup>1</sup> Promulgated: 4. XI.1995.

- a) epidemiological and hygienic inspection of the keeping and marketing of the animal --including wild animals-- (hereinafter: animal), the manufacturing, storage, utilization and marketing of products of animal origin, the manufacturing and storage of foodstuffs, the marketing of foodstuffs of animal origin, the manufacturing, storage, marketing and utilization of feedingstuffs and the contaminant substances and instruments,
- b) the maintenance, examination and medication of the animal's state of health,
- c) the manufacturing, putting into circulation, marketing, storage and utilization of the veterinary medicinal product,
- d) the activity of the public veterinary laboratory,
- e) certain activities carried out with pathogens of animal diseases (hereinafter 'pathogen'), and
- f) the approval and checking of activities defined under subsections a)-e)

(2) The Minister of Agriculture (hereinafter: 'Minister') may rule a deviation from the epidemiological and hygienic provisions of this Act as regards animals owned by the Ministry of Home Affairs, the Ministry of Defence, the Ministry of Finance and the organs of the National Security Bureau and the institutions thereof, which keep these animals for service purposes to help them exercise their basic activities.

(3) The provisions of separate legal rules on animal husbandry, the manufacturing, storage, utilization, marketing of foodstuffs and feedingstuffs, and the conditions of the exercise of the veterinary service activity shall be applied in compliance with the requirements set out in this Act.

#### *Definitions of Terms*

#### Section 2

For the purposes of this law the following definitions shall apply:



1. *animal health*: activity implying epidemiological, medication, animal hygiene, reproduction biological and feedingstuff hygiene duties of animal keeping and animal marketing; epidemiological and hygiene duties of the manufacturing, storage and utilization of foodstuff; epidemiological and hygiene duties of the marketing of foodstuffs of animal origin; duties of manufacturing, putting into circulation, marketing, storage, utilization, approval and checking of veterinary medicinal products, and the checking, organisation and means supply of the mentioned duties and also research and education connected to them;

2. *veterinary service activity*: veterinarian activity carried out upon payment of charges on the basis of an agreement with the animal keeper;

3. *animal marketing*: sale of the animal within the framework of a businesslike activity;

4. *veterinary medicinal product*: every substance or product applied in influencing and examining the physiological and pathological state of the living animal, the animal medicines, veterinary vaccines and diagnostic substances, veterinary curative products, non nutritive xenobiotic feedingstuff additives given above physiological necessity, holding specific vaccines, magistral veterinarian medicinal products, veterinary medicinal subsidiaries;

5. *animal hygiene*: animal disease related system of requirements as regards the keeping of the animals, the manufacturing, storage and putting into circulation of foodstuffs and products of animal origin;

6. *animal clinic*: animal hospital institution serving also as a means of university education and research;

7. *animal hospital*: veterinary service institute managed by a qualified veterinarian, which ensures the veterinary examination, medication and the temporary hospitalizing of the animal;

8. *veterinary laboratory*: laboratory carrying out clinical diagnostic complementary examinations connected to veterinary service activity;

9. *veterinary surgery*: premises designed for the examination and medication of the animal;

10. *veterinarian activity*: may be practised only by a qualified veterinarian, and involves examination of the animal's health status, preventive and medicinal intervention, prescription of medicines for animal, foodstuff-hygiene inspection, expertise activity, advisory activity, and the examination, postmortem examination, products of animal and other origin (falling under the sphere of responsibilities of animal health) and diagnostic sample sending, and the administrative activity connected to these;

11. *foodstuff of animal origin*: animal and every edible part, product and raw material of it intended for human consumption in the form of semi-finished and finished products;

12. *by-product of animal origin*: material utilizable by further processing produced during the processing of the animal or its products;

13. *product of animal origin*: utilizable material not qualified as foodstuff derived from the living, slaughtered or dead animal;

14. *waste of animal origin*: the animal corpse, the by-product and the non-utilizable material of animal origin;

15. *rendering of the waste of animal origin*: a procedure by means of which the waste of animal origin becomes sterilised;

16. *owner of the waste of animal origin*: the animal keeper, the person carrying out the hunting, fishing, angling, animal husbandry or animal propagation, the operator of the slaughter house, of the foodstuff-manufacturing factory, or of the establishment processing and marketing the animal product;

17. *animal transportation*: changing of the animal's holding by means of driving on foot, transportation by a vehicle or in any other way;

18. *animal keeper*: the owner of the animal or the person monitoring the animal or the stock;

19. *foodstuff-hygiene*: system of requirements connected to suitability for consumption as regards the manufacturing and marketing of foodstuffs, and the prevention and elimination of infections and other sickness spread by foodstuffs;

20. *contaminant*: living creature, living or dead matter able to spread contagious animal diseases;

21. *contagious animal disease*: animal disease caused by a pathogen;

22. *veterinary laboratory of a holding*: a laboratory operated by the animal keeper for the examination of the health status of his own breed stock, which may not carry out any activity with pathogens of notifiable animal diseases;

23. *non-utilizable material derived from animals*: part of the animal not suitable for consumption or industrial processing;

24. *official veterinarian activity*: veterinarian activity drawn under the sphere of responsibilities of the state by means of a legal rule;

25. *epidemiology*: provisions made for the protection against, the identification and elimination of diseases spread by contaminants or by other media, caused by a pathogen dangerous for animals and men, and the implementation of these provisions;

26. *epidemic animal diseases*: contagious animal disease quickly spreading from animal to animal, or from breeding stock to breeding stock;

27. *emergency slaughter*: urgent bleeding of an animal injured or dying carried out so as to prevent its death and prevent its meat from becoming unsuitable for consumption because of the exacerbation of the disease;

28. *private veterinarian activity*: veterinary service activity --pursuant to a separate legal rule-- not implied by the sphere of responsibilities of the state carried out upon payment of charges on the basis of an agreement with the animal keeper;

29. *residue*: xenobiotic substances used during the production, treatment, manufacturing and storage of

feedingstuffs or foodstuffs, chemical substances used as pesticides or present as a result of the utilization of veterinary medicinal products, and the total amount of the biologically active decomposition products of these;

30. *non-nutritive xenobiotic feedingstuff additive*: residue forming substance without nutritive value --including growth promoters--, not a natural component of the animal body serving the enhancement of feedingstuff utilization;

31. *public veterinary laboratory*: a laboratory carrying out assessment and exclusion of animal diseases, complementary diagnostic examinations proving contamination or free status from a disease, analysis of veterinary medicinal products, toxicological and other examinations relating to pathogens damaging animals' health, foodstuff hygiene and feedingstuff hygiene examinations on the veterinarian's order, or for the foundation of the decision made by the animal health authority;

32. *parasitocoenosis*: injury to health caused by parasites in other species;

33. *reproduction biology*: practice and animal health conditions of the production of healthy progeny;

34. *pollution substance*: every alien substance which in the course of animal keeping, manufacturing, production, storage or transportation may get into the final product from the instruments and equipments touching the foodstuff or the feedingstuff;

35. *feedingstuff hygiene*: system of requirements for the manufacturing, storage and putting into circulation of the feedingstuff connected to animal diseases and suitability for consumption with a view to animal health, the prevention and elimination of feedingstuff harm and of infections spread by feedingstuffs, and the prevention and elimination of human illness by means of the product;

36. *zoonosis*: infection, illness spreading from an animal to a man or from a man to an animal.

## CHAPTER II.

### HEALTH PROTECTION OF THE ANIMAL

#### *Animal health requirements of animal keeping*

#### Section 3

(1) In the course of animal keeping the animal health, public health, environmental protection and animal welfare rules shall be complied with; these must be applied during the transportation and marketing of the animal, and during the manufacturing, processing, storage and marketing of foodstuffs and products of animal origin.

(2) For feeding and watering the animal only such feedingstuff and water shall be used which do not endanger the health of the animal, and indirectly that of man.

(3) It is forbidden to utilize with the purpose of enhancing the reproduction and production results of the animal any substances with hormone content -- defined in the legal rule-- or hormonal activity, and any other substances harmful to the health of men or animals.

(4) It is forbidden to enhance the sports results or other kinds of achievement of the animal with dopes or interventions having similar effect.

#### Section 4

(1) Approval of the veterinary authority is necessary for the establishment and operation of an animal clinic, animal hospital, veterinary surgery and veterinary laboratory.

(2) An animal shelter, pet-shop, animal cosmetics, animal pension, zoo, game preserve, animal cemetery (crematorium) may be established and operated with the professional authority consent of the veterinary authority.

(3) The licence required for establishing a holding shall be issued with the professional authority consent of the veterinary authority.

#### *Rights and obligations of the animal keeper and the veterinarian*

#### Section 5

(1) The animal keeper shall

(a) regularly provide for the veterinary health provision of his animal;

(b) keep a stock register if he is rearing the breed and number of animals set out in the legal rule, continuously inform the veterinarian responsible for the veterinary surveillance of the animal, and the clerk of the local municipality about the breed and number of animals, any changes of the stock, the holding and the changing of the holding;

(c) report the illness or the suspicion of a disease of the animal to the veterinarian, have his sick animal, or the suspect animal examined, and execute --without delay in cases provided for in the legal rule-- the instructions of the veterinarian relating to the treatment of the animal and of the animal stock, and to the prevention of the further spreading of the disease;

(d) allow the examination, treatment, vaccination, transportation and slaughtering of his animal ordered by the veterinary authority for epidemiological and hygiene reasons, provide assistance for the acting veterinarian, and cooperate to the extent of his obligation for the mitigation of damages;

(e) report the death of the animal, or the emergency slaughtering of the animal executed without veterinarian assistance to the veterinarian, and present the animal for examination;

- (f) have his slaughtered animal examined by the veterinarian in cases defined in the legal rule;
- (g) provide for the rendering of the carcass of his animal, the by-products and the non-utilizable materials of animal origin;
- (h) upon its request notify the method of rendering of the waste of animal origin allowed by the legal rule to the veterinary authority.

(2) The obligation defined under subsection (c) of the indent (1) refers to

- (a) the operator or the representative of the organisation entitled to hunting, fishing (angling), animal husbandry and animal propagation, and to the person who
- (b) operates the animal holding (the farm) on behalf of the owner;
- (c) monitors the animal;
- (d) takes care of, tends, feeds and watches the animal;
- (e) accompanies the animal on transportation.

(3) When transporting the animal to a slaughterhouse or the emergency slaughtering, and when transporting the animal, products and foodstuff of animal origin for sale, the animal keeper shall inform the acting veterinarian about the circumstances affecting the marketing of the animal, thus especially about the health status, the medication and the feeding of the animal according to the real situation.

(4) The obligation for report and notification defined under subsections c) and e) of indent (1) refers to the operator of the veterinary inspection and medication institute, and to every person who specializes in or cooperates with the medication of animals, artificial insemination, embryo transfer, animal trade, animal transportation, meat inspection, and the sale, processing and rendering of slaughtered, killed or dead animals, and the raw products of animal origin;

(5) The animal keeper is entitled to decide which authorized person he employs for veterinary service activity.

(6) The veterinarian shall give information to the animal keeper on the keeping, feeding and health status of the animal, the measures to take, and the expected financial and legal consequences of these;

(7) The veterinarian shall give first-aid and inform the animal keeper of the further possibilities or obligation for the employment of the veterinary service. In the event of suspicion to notifiable animal disease he shall provide the emergency treatment expected in the given situation, and simultaneously notify the person authorized to take official measures;

### *Epidemiological provisions*

#### **Section 6**

(1) In the event of suspicion to or assessment of a notifiable animal disease the official veterinarian in charge shall report to the district veterinary officer, and defined in the legal rule to the territorially competent county (capital) veterinary and food-control station (hereinafter: station), too..

(2) The notifiable animal diseases are included in *Annex I* to this Act.

(3) The minister may --temporarily-- order notification obligation for for newly discovered infectious animal diseases seriously endangering the domestic animal stock and restricting the international trade, or dangerous for man;

(4) For the purpose of the prevention, assessment, stopping of spreading, decreasing the damage caused by, and the elimination of notifiable animal diseases, and according to the nature and the incidence of the disease the veterinary authority may order in cases defined in separate legal rules the following epidemiological measures:

- a) isolation,
- b) official surveillance,

- c) marketing restriction,
- d) local cordon,
- e) restriction on the holding,
- f) ban on the issuing of animal passports,
- g) establishment of a protective zone
- h) diagnostic examination and slaughter for such purpose,
- i) vaccination,
- j) medical treatment,
- k) isolated or closed slaughtering,
- l) animal slaughtering (or having the animal slaughtered),
- m) seizure and rendering of contaminant substance, instrument, object, foodstuff, feedingstuff and carcase,
- n) disinfection,

(5) More than one epidemiological provision may be ordered simultaneously. The ordering decision -- irrespective to appeal-- is to be implemented immediately.

(6) Of the epidemiological provisions laid down in subsections a)-g) of indent (4) the Veterinary Authority shall at the same time inform the clerk of the local municipality, and the head clerk if in the capital, as well.

### Section 7

(1) The private veterinarian exercising veterinary service activity in the event of suspicion of an epidemic animal disease shall take all the necessary measures in the way expected of him in the given situation for the purpose of eliminating the danger of the epidemic, and shall immediately report to the organ authorized to take further measures.

(2) When assessing a notifiable animal disease or its suspicion the private veterinarian shall report to the official veterinarian with local competence without delay, and simultaneously he shall act in accordance

with the rules of the profession and provide the animal keeper with necessary instructions.

(3) In case of a danger of an epidemic the private veterinarian may be employed to work for public purposes --on payment of charges and expenses-- by the head of the county veterinary authority competent according to the private veterinarian's registration. The private veterinarian in the course of his employment for public purposes executes public duties, and is provided with protection due to official veterinarians.

(4) Within the framework of an urgency treatment the veterinarian with the agreement of the keeper of the animal may order or assent to the emergency slaughter of the injured, ill or not transportable animal.

### Section 8

(1) In the event of the ordering of epidemiological provisions listed under subsections h)-n) of indent (4) of section 6 the owner of the animal having died of one of the animal diseases listed under sections 1-25 of Annex I, or the owner of the slaughtered animal, or that of substances, instruments and objects destroyed --with exceptions pursuant to indent (4)-- is entitled to compensation from the state.

(2) The financial cover necessary for the compensation and for the rendering of waste of animal origin shall be planned and secured annually in the central budget by the Minister and the Minister of Finance.

(3) The basis of the compensation is the market value of the animal, substance, instrument or object. The measure of compensation shall be assessed in compliance with Annex II. Detailed rules for damage survey and payment are provided for in separate legal rule. The payment of the compensation should be provided for in the ordering decision.

(4) Compensation is not due:

- a) for animals imported into the country illegally or in spite of the prohibition, and for substances,

instruments and objects connected to their keeping;

- b) if the owner or his representative has not reported the animal's state being suspicious to a disease, and if he has violated the prescribed regulations;
- c) if the owner has had knowledge of the illness or infection of the animal procured by means of transfer of ownership at the time of procuring the animal;
- d) if epidemiological measures have been taken because of any other attributable behaviour of the animal keeper;
- e) for wild animals, except for domestic and protected animals living in a state of nature captured with authorization, which have been kept or bred in a confined place (in a game reserve, preserve, aviary) for at least six months;
- f) for animals kept for amusement or for scientific research, laboratory, service or circus show purposes;
- g) for manure and bedding;
- h) for animals and products kept and marketed by way of violation of animal health legal rules;

### ***Rendering of waste of animal origin***

#### **Section 9**

(1) The waste of animal origin is to be rendered.

(2) The owner, or if the owner is unknown, the local or the capital district municipality competent according to the site of the waste of animal origin is obliged to --with the exception defined in indent (3)-- provide for the rendering of the waste of animal origin.

(3) The rendering of waste of animal origin produced during the prevention, exploration and elimination of animal diseases defined under sections 1-25 of Annex I is the duty of the state, the station

competent according to the site of the waste of animal origin shall take measures for the execution.

#### **Section 10**

(1) The rendering of the waste of animal origin can be carried out by a person who was given a licence for it (hereinafter: entrepreneur). The conditions of the issuing of the licence are the observance of animal health, public health and environmental protection requirements of the rendering of waste of animal origin, the preliminary assumption of obligations for complete rendering of waste of animal origin present on the territory indicated in the application for the approval, and the execution of the provision ordered on the basis of indent (3) of Section 9.

(2) The licence for the entrepreneur will be issued --with the professional authority consent of the territorially competent environmental protection authority -- by the station competent according to the residence of the entrepreneur. If the waste of animal origin is collected from the competency area of several stations, or from entrepreneurs having several plants, the consent of the station competent according to the site of the collection and the site of the plant is necessary as well for the issuing of the licence.

(3) The entrepreneur shall start and exercise the activity of rendering of waste of animal origin only if he possesses the licence defined in indent (1).

#### **Section 11**

(1) The waste of animal origin shall be rendered with the observance of the animal health, public health and environmental protection requirements.

(2) The station in the course of the epidemiological measures shall charge an entrepreneur possessing the adequate technique and capacity with the rendering of waste of animal origin.

(3) If the operator does not comply with the requirements defined in his preliminary assumption of obligations the station shall withdraw the issued licence, and --with the purpose of taking measures for

withdrawing the entrepreneur certificate valid for this activity, and for cancelling this activity field-- notifies the organisation having issued the entrepreneur certificate, the environmental protection authority having cooperated in the authorization as a professional authority, and the county court providing legal supervision as registry court.

## Section 12

(1) The owner of the waste of animal origin, or if the owner is unknown the local municipality -- with the exception defined under indent (2)-- shall bear the costs of the rendering of the waste of animal origin. If the owner becomes known, he is obliged to pay the costs for the local municipality.

(2) The cost of the rendering ordered by the station as an epidemiological measure is charged to the central budget.

## *The animal passport*

## Section 13

(1) The animal keeper --in cases defined in the legal rule-- shall take out a cattle licence to certify his right of ownership and the animal health status of the horse, donkey, mule, cattle, buffalo, swine, sheep, goat and wild cloven hoofed useful animals reared in an enclosed area (eg. wild-boar, fallow deer, roe-deer, deer, moufflon).

(2) Prior to the taking out of the cattle licence the animal should be permanently identified in compliance with the requirements set out in animal health and animal husbandry legal rules.

(3) The cattle licence shall be made out on payment of charge by the clerk of the local municipality or in the capital that of the district municipality (hereinafter: clerk) competent according to the place of the keeping, purchase or alienation.

(4) The obligation for payment of charge includes administration services enlisted in the statutory law, such as made out for the first time, as a duplicate

copy or as a replacement, the registration of administration provisions and ownership changes, the validation of veterinary certificates, and subscriptions (hereinafter together: cattle licence administration).

(5) For the administration of cattle licence fees defined in Annex III shall be paid.

(6) The fee to be paid for cattle licence administration shall be paid by the animal keeper in cash directly to the appropriation account of the local municipality. The sum of the fee paid is the income of the local municipality.

(7) If the clerk within the framework of one proceeding, on one and the same cattle licence, and in relation to the same animal executes several administration services (eg. issuing of cattle licence and administration provision) the payable fee should be paid only once according to the highest rate of fees assessed for actual proceedings.

## *Veterinary rules of the marketing and transportation of animals*

## Section 14

Animal marketing activity may be exercised, animal exhibitions, animal shows --including circus show activities carried out with animals-- and animal races may be held on a location and at a time approved by the clerk of the local (in the capital district) municipality and with the consent and under the supervision of the competent veterinary professional authority.

## Section 15

The person who exercises animal marketing activity shall keep a registration of the animals marketed by himself --the content of which is defined under the legal rule--, and he shall show it to the competent authorities on inspection.



### Section 16

(1) Animals shall be collected, transported and driven on foot only without endangering the health of the animals in compliance with the provisions set out in the legal rule.

(2) Those cases when animals shall be transported with the accompaniment of animal health licence and under the supervision of the official veterinarian are defined in legal rule.

### Section 17

The animal deriving from an foreign stock, or imported into the country shall be isolated --under conditions, exceptions and period of time defined in legal rule-- for the purpose of official surveillance.

### Section 18

(1) The animal, animal semen, foodstuff and product of animal origin , feedingstuff, other substance, instrument or object able to spread epidemic animal diseases, and branches of pathogens (hereinafter together: good) may be imported into, transported through or taken out of the country --with exceptions defined in legal rule-- on the basis of a preliminary animal health licence, through a veterinary border station, with a valid certificate of health and origin (hereinafter: veterinarian certificate) issued by the official veterinarian competent according to the place of dispatch.

(2) It is prohibited to import into, transport through or take out of the country an animal that is ill or suspicious to an illness, an animal which is infected or suspicious to an infection, a dead animal and products originating from such an animal. If the station of destination of the animal or the animal product is situated in Hungary, the Minister may order a derogation from this prohibition in a regulation.

(3) The goods imported into the country shall be shown --together with the accompanying documents-- at the border station and then to the official veterinarian competent according to the place of the

first offloading executed in this country, and then according to the place of storage by its owner for inspection.

(4) The competent animal health authority shall confiscate the goods imported into the country by breach of requirements defined under subsections 1)-3) and order its rendering . All the costs involved in the proceeding are born by the owner of the good.

### Section 19

If the epidemiological situation calls for it, an Act, a government regulation or a Minister regulation may order further veterinary conditions for the marketing and transportation of animals, products of animal origin, foodstuffs and feedingstuffs other than those defined under sections 14-18.

### *Veterinary medicinal products*

### Section 20

(1) Veterinary medicinal products --with exception defined in legal rule-- may be manufactured in the country or tested outside laboratories only with a licence, and they may be imported into the country, put into circulation, marketed and utilized only with a licence for putting into the market and marketing issued after a registration proceeding.

(2) The conditions of the registration, manufacturing, putting into circulation, marketing and utilization of the veterinary medicinal product shall be established by the Minister in a decree.

(3) The veterinarian is entitled to the ordering of registered medicines and medicines included in the Hungarian Drug Book in compliance with the professional and legal rule requirements.

### Section 21

(1) The station shall --in compliance with separate legal rule-- carry out inspection at manufactrurers, distributors and users of registered veterinary medicinal products, and in the event of importation at

the place of the first domestic storage of the registered veterinary medicinal product.

(2) The station in the course of the proceeding may carry out sampling free of charge. The owner of the product may lay claim to taking a duplicate-sample.

### Section 22

Substances necessary for the execution of the elimination and eradication of the disease defined under subsection h) of indent (1) of section 26 may be ordered only by the official veterinarian appointed to the veterinary area and by the district veterinary officer.

## CHAPTER III.

### *The organization of veterinary administration*

#### Section 23

(1) Veterinary administration is executed by

- a) the Minister;
- b) the Ministry of Agriculture (hereinafter: Ministry);
- c) the station as a veterinary regional organ;
- d) the veterinarian employed in public service legal relations at the organs of the station;
- e) institutions pursuing activities falling under the sphere of responsibilities of animal health [together with those enlisted under subsections b)-e): state veterinary service];
- f) the body of representatives and the clerk of the local municipality (the capital general assembly and the body of capital district representatives in the capital); and
- g) the Chamber of Hungarian Veterinarians (hereinafter: Chamber).

(2) The organs indicated under subsections a), b), c), d), f) of indent (1) have jurisdiction of veterinary authority (hereinafter: veterinary authorities).

(3) Pursuant to subsection d) of indent (1) the following persons qualify as veterinarians:

- a) the district veterinary officer, and
- b) the veterinarian appointed by the head of the station to the veterinary area established on the competency region of the station;
- c) to the sub-office operating on the foodstuff manufacturing and marketing premises (hereinafter: food-hygienic sub-office);
- d) to the veterinary border station [hereinafter: subsections a)-d) together: official veterinarian].

(4) The competency area of the official veterinarian mentioned in subsections b)-c) of indent (3) shall be set out by the head of the station.

(5) The head of the station shall establish veterinary districts including several veterinary area, and the activities of the official veterinarians operating there shall be directed by the district veterinary officer;

(6) The head of the station for the implementation of certain epidemiological provisions may --in compliance with indent (3) of section 7-- employ a private veterinarian.

(7) Separate Act lays down the tasks of the Chamber.

(8) The financial cover necessary for executing the duties of the state veterinary service established in this Act shall be provided for from the central budget and from the administrative service fee revenues.

### *Provisions of the veterinary authority*

#### Section 24

(1) In the course of the proceedings of the animal health authority the general rules of state administration proceedings shall be applied with regard to the derivations and amendments laid down in this Act.

(2) As an epidemiological provision the veterinary authority in its competency area

- a) may prohibit, restrict or control the entry into some areas and premises;
- b) may order - subject to subsequent obligation for payment of charge in compliance with separate legal rules- the employment of a vehicle, building, equipment, instrument or substance;
- c) may order the confiscation and rendering of an instrument, object or substance in compliance with the requirements of a separate legal rule;
- d) may commence the proceeding by means of promulgation;
- e) may summon the private person living elsewhere to his seat;
- f) may announce the decision by displaying it.

(3) The veterinary authority may take samples free of charge from the animal and the product to the measure necessary for the execution of official inspections, and it may order the re-processing or rendering of the foodstuff, feedingstuff or veterinary medicinal product serving as a basis for inspection, and it also may order further inspection of the animal, and as an epidemiological provision the compulsory medication, vaccination or slaughtering of it.

(4) If the animal health authority orders an epidemiological provision, and it prohibits the importation of the good into the country, the transportation of the good through the country and the taking out of the good from the country, the decision may be implemented immediately and irrespective of appeal.

(5) The acting veterinary authority shall conduct the proceedings commenced on the client's initiative after the client's certifying his having met the obligation for payment of administration service fee.

(6) The decision on the authorization of the factory-size production, registration, putting on the market and marketing of the veterinary medicinal product may also be passed over thirty days.

## ***The forum-system of the veterinary authorities***

### **Section 25**

(1) The appeal given against the decisions of first instance made by the official veterinarian and the district veterinary officer shall be judged by the head of the station as a superior organisation.

(2) The appeal given against the decision of first instance made by the head of the station shall be judged by the Ministry as a superior organisation.

(3) The appeal given against the decision of first instance made by the Ministry shall be judged by the Minister.

### ***The Minister's sphere of responsibilities and competence***

### **Section 26**

(1) Within the framework of the administration and organization duties of animal health the Minister

(a) shall determine and regulate the professional duties of animal health;

(b) shall establish stations, determine their competency areas, and assent to their organizational and operational rules;

(c) shall designate the veterinary border stations;

(d) shall contribute to the preparation and implementation of international veterinary agreements;

(e) shall contribute to the drawing up of plans for the development of veterinary education and postgraduate studies, shall designate those organizations and persons where veterinarians having graduated in the University of Veterinary Science (hereinafter: university) may serve their probation period, and shall provide for the financial means necessary for the training of probationers;

- (f) shall set out the rules of the professional continuative education of official veterinarians, and provides the conditions necessary for it;
- (g) shall assist the study of veterinary sciences and the comprehensive practical application of the results of domestic and foreign research, cooperating with the Hungarian Academy of Sciences, other scientific institutions, the university and other ministers concerned;
- (h) may order --with the consent of the government-- an eradication campaign supported by state financial means for the elimination of animal diseases causing considerable harm for the national economy or dangerous for public health, and he also may announce an epidemiological emergency;
- (i) in the event of an epidemiological emergency for the effective execution of his duties he may employ --by means of the Minister of Defence and the Minister of Home Affairs-- on payment of charges secured by the government the formations of the military and police forces stationed on the endangered area or commanded there on his request with the exception of the national civil security service;
- (j) shall take the necessary measures dependent on the international animal health situation;
- (k) shall establish and remove institutions under the scope of the state veterinary service, and shall assent to the organizational and operational rules of the institutions;
- (l) shall execute other duties set out in the legal rule.

(2) In the course of the execution of his duties pursuant to indent (1) he shall cooperate with the ministers concerned, with the leaders of organisations with national sphere of competence, and with the Chamber.

## Section 27

(1) In his jurisdiction of veterinary authority the Minister

- (a) in case of a danger of epidemics for the purpose of the prevention and elimination of the epidemic he shall exercise the rights and entitlements for executive power serving protection on the whole territory of the country, within the framework of which he may determine the execution of the duties defined in this Act between the veterinary authorities and certain organisations of the animal health service differently from the ones set out in this Act;
- (b) in the event of an extraordinary danger of epidemics he may order work for public purposes carried out on payment of charges, the employment of an establishment, means of transportation and other instrument and substance on the endangered area;
- (c) shall authorize the putting on the market of veterinary medicinal products.

(2) The Minister shall issue the licence defined under subsection c) of indent (1) --with the exception of diagnostic substances that do not get into the body of the animal-- with the consent of the Minister of Public Welfare.

## *The National Veterinary Council*

## Section 28

(1) The Minister's administration of animal health shall be assisted by the National Veterinary Council (hereinafter: Council), which is an advisory and assessing body consisting of nine members.

(2) The members of the Council shall be offered by the Minister from experts proposed by the university, the state veterinary service and the veterinarian professional representations.

(3) The organizational and operational rules and the annual labour plan shall be drawn up by the Council and consented to by the Minister.

(4) The conditions of the operation of the Council shall be provided for by the Minister.

***Scope of responsibilities and competence of the Ministry***

**Section 29**

Within the framework of the administration and organisation duties of animal health the Ministry

- a) shall execute duties regarding the administration of the state veterinary service under the scope determined by the Minister;
- b) shall take measures in case of direct danger of a so far unknown disease for its prevention, exploration, elimination, and in the event of such a disease for the state compensation in compliance with section 8;
- c) shall determine the conditions of scientific, diagnostic and other activities related to pathogens, and shall authorize the exercise of the activity;
- d) shall operate a surveillance system, and shall have checking inspections carried out so as to clear up the regional or national incidence rate of, and the extent of infectedness caused by certain diseases, and in order to examine the residues occurring in foodstuffs and feedingstuffs;
- e) shall draw up a preliminary contingency plan necessary for the protection against epidemic animal diseases;
- f) shall provide for free vaccines and diagnostic substances necessary for the prevention and elimination of the epidemic animal disease;
- g) shall provide for the organisation of the execution of the state veterinary duties;

h) shall determine the conditions of the animal exhibition, animal show and animal race held with international participation;

i) shall keep the registration of veterinary medicinal products, and the registration of distributors dealing exclusively with veterinary medicinal products;

j) shall execute the examination and inspection duties related to radiology set out in the legal rule;

k) shall establish and operate the information system necessary for the execution of its duties defined in the Act;

l) shall keep the national register of veterinarians;

m) shall organize on a national level the employment of private veterinarians for public purposes.

**Section 30**

In its jurisdiction of veterinary authority the Ministry

- a) shall authorize the importation of the goods into the country, the transportation of the goods through the country, and the taking out of the goods from the country;
- b) shall authorize the factory-size manufacturing and practical testing of veterinary medicinal products, and the marketing of those;
- c) shall authorize the importation of veterinary medicinal products;
- d) shall determine the list of veterinary medicinal products that may be added to feedingstuffs;
- e) shall authorize the putting into circulation of new feedingstuffs containing xenobiotic additives;
- f) shall authorize --with the consent of the Ministry for the Protection of the Environment and Regional Development and the Ministry of Public Welfare-- the importation of animals produced by means of gene-manipulation, and

the manufacturing, testing, marketing and importation of feedingstuff and veterinary medicinal product which have been manufactured by the utilization of genetically altered organisms.

### Section 31

For the expenses of the execution of state duties defined under indent (1) of section 26, and subsections a) and b) of indent (1) of section 27 annually a target credit for the protection from epidemics shall be secured in the central budget. For the utilization of the target credit the Minister shall take measures in compliance with legal rules on budgetary economy.

### *Veterinary duties of the station*

### Section 32.

Within the framework of its veterinary administration and organisation duties the station

- a) shall organize the prevention, investigation and elimination of diseases on its competency area, and the implementation of the eradication campaign ordered pursuant to subsection h) of indent (1) of section 26;
- b) shall operate a laboratory in support of authority decisions;
- c) shall order actions prescribed in the legal rule (compulsory vaccinations, diagnostic examinations, protection from parasitocoenoses, etc.);
- d) in cooperation with the competent institutes shall investigate vaccination accidents, poisonings, reasons for the fact that the veterinary medicinal product has had no effect, and shall take measures for their prevention and elimination;
- e) during the execution of its duties set out in this Act shall be in continuous contact with the local municipality on its competency area, in

the capital with the capital municipality, with the county or capital public administration office, with the regional institutions of the ÁNTSZ (hereinafter: Regional Institution), with the environmental protection authority competent according to site, and with the regional organs of the Chamber;

- f) shall organize an inspection and readiness service for the execution of its official duties;
- g) shall designate the seat of the official veterinarian, his operational area, and shall determine his duties in compliance with sections 36, 37 and 38;
- h) shall secure the provision of the veterinary service by means of the competent official veterinarian if necessary;
- i) shall execute the duties of foodstuff-, and feedingstuff quality check defined in the legal rule;
- j) shall participate in the establishment and operation of the system of the registration and identification of animals;

### Section 33

In its jurisdiction of veterinary authority of first instance the station

- a) shall order the official measures --defined in the legal rule-- necessary in case of a danger of an epidemic, including the employment of the private veterinarian and economic organizations (eg. slaughter house, carcase processing plant) for public purposes;
- b) shall order the rendering of the carcase and by-products of animals having died of or slaughtered because of a dangerous disease which is also dangerous for humans, and the rendering of the infected substances and instruments, and he shall determine the method of rendering , and simultaneously he shall inform the clerk of the local municipality competent according to site, the environmental

protection authority, the water conservancy authority and the Regional Institute if the rendering has been executed on a site or with a method other than those officially approved;

- c) shall determine --in cases defined in a separate legal rule-- the method and period of time of the isolation of animals from a foreign stock with the purpose of animal health monitoring;
- d) shall judge the suitability of the quarantine chosen or designated for the reception of animals arriving from abroad;
- e) shall control with a view to animal health the operation of the market, live-stock fair, animal procurement, pet-shop, animal exhibition, animal show, animal race, animal penzio, animal asylum, zoo and game reserve;
- f) shall authorize the establishment of an animal clinic, animal hospital, veterinary surgery and veterinary laboratory, and shall control their operation;
- g) shall control the veterinary authority activity of official veterinarians, and clerks of the local municipalities in its competency area;
- h) shall exercise official control over the activities of the private veterinarians operating in its competency area, shall act in the event of infringement of the law in its own jurisdiction, or shall commence an ethical proceeding at the Chamber, it also may suspend the activity in justified cases;
- i) shall authorize the operation of the slaughter site, slaughter house, butcher's shop, and other foodstuff manufacturing premises, such as the operation of the official butcher's shop, the establishment of export animal loading places and the use of means of transportation;
- j) shall continuously control the suitability of the foodstuff manufacturing premises for export production in compliance with international requirements;

- k) shall restrict or prohibit with a view to epidemiology the utilization and putting into circulation of finished foodstuffs and foodstuffs and raw materials of animal origin, shall determine further proceeding, and inform the competent authorities if necessary;
- l) shall authorize the exercise of animal protein processing activity within the framework of the rendering of waste of animal origin. On the authorization of an activity exercised on the territory of several counties the station competent according to the seat (premises) of the enterpereneur or of the economic organization shall decide, on the basis of the professional authority opinion of the stations concerned by the activity;
- m) shall authorize and control the utilization, further processing and handling of by-products derived from foodstuff manufacturing factories that may be utilized as feedstuffs;
- n) shall control the conditions of the manufacturing, marketing and utilization of veterinary medicinal products;
- o) shall execute a preliminary check-on-the-spot prior to the issuing of the licence entitling the holder for the marketing of veterinary medicinal products;
- p) shall control the utilization and marketing of veterinary medicinal products that may be added to feedstuffs;
- r) shall control with a view to animal health the factories manufacturing feedingstuff premixes and compound feedingstuff, and the marketing of those;
- s) shall take measures for taking under veterinary official supervision the goods under the sphere of competence of this Act, which arrived with the required licence or certification, but have fallen under veterinary restriction during the identity checks and other examinations;



- t) shall control the manufacturing of veterinary medicinal products, the final product, the marketing and the utilization;
- u) may order an isolated slaughter for epidemiological reasons;
- v) shall order the rendering of the waste, substance or instrument that requires a separate proceeding with a view to animal health, shall determine the method of the rendering and it shall inform the environmental protection authority;
- z) shall execute other duties referred under the sphere of competency of the legal rule.

#### **Section 34.**

With a view to the implementation of veterinary requirements the station as a professional authority

- a) with a view to epidemiology and hygiene shall qualify the propagating technologies, facilities, instruments, equipment and breeding farms of animal keeping and animal husbandry in advance;
- b) shall assent to or deny assent to
  - ba) the establishment of places under epidemiological supervision (eg. a waste-collecting-, waste-storing-, waste-processing or waste-marketing site which deals with raw materials and waste of animal origin; pet-shop, poultry hatchery, carcase burial pit, carcase pound, mortuary, flaying house, pasture, watering site),
  - bb) the establishment of live-stock fair, animal loading and animal procurement site, animal exhibition, animal race, animal asylum, animal penzio, zoo, pet-shop, game-reserve, animal cemetery (crematorium),
  - bc) the establishment and the transformation of animal holdings, animal marketing places, feedingstuff manufacturing factories, feedingstuff marketing and stors, artificial insemination stations, artificial embryo-

transplant stations, poultry hatchery stations, artificial fish hatchery stations and queen-bee nurseries,

- bd) the professional exercise of animal trade and marketing activity.

#### ***The duties of the district veterinary officer***

#### **Section 35**

(1) On its competency territory the district veterinary officer

- a) shall organize and direct the work of official veterinarians;
- b) shall act as an authority of first instance in cases of animal slaughter and compensation;
- c) may execute the duties defined under section 36.

(2) If the districtveterinary officer acts in compliance with subsection c) of indent (1), he shall qualify as an official veterinarian operating in the veterinary area .

#### ***The duties of the official veterinarian***

#### **Section 36**

The official veterinarian operating in the veterinary area

- a) shall execute epidemiological duties on the notification or perception of the animal disease or the suspicion of an animal disease, he shall take all the measures referred to his sphere of responsibilities and competency by this Act which are necessary for the prevention and elimination of the epidemic;
- b) shall report to the station in the event of suspicion of a notifiable animal disease;
- c) shall judge the conditions of the taking into isolation of animals from foreignstock at the

- site of the reception of the animals, and shall make suggestions for these conditions;
- d) shall control with a view to epidemiology the operation of the animal loading and animal procurement places;
  - e) shall direct and control the implementation of veterinary actions set out in the legal rules (compulsory vaccination, diagnostic examination, protection from parasitocoenoses, etc.), and shall participate in the implementation;
  - f) shall execute the meat inspection --defined in legal rule-- of the animal slaughtered for human consumption or other reasons;
  - g) shall authorize the domestic transportation of goods falling under the scope of this Act;
  - h) shall execute the checking --prescribed in legal rule-- of the international trade of goods under the scope of this Act, and shall make out the required veterinary certificates;
  - i) shall execute the domestic veterinary supervision of goods under the scope of this Act imported into the country;
  - j) shall control the rendering of waste of animal origin, substance or instrument requiring a separate proceeding with a view to animal health;
  - k) shall control
    - ka) the observance of veterinary rules at the animal keeper and animal distributor, and the health status of the animals,
    - kb) the observance of veterinary rules at live-stock fairs, markets, procurement sites, animal exhibitions, animal shows, game preserves, animal races, animal penzio, animal shelters, pet-shops, and in the marketing of animals and products of animal origin,
    - kc) the execution of examinations and treatments prescribed by the legal rule,
    - kd) the suitability of foodstuffs of animal origin for processing and human consumption,
    - ke) the circumstances of the propagation of the animals,
    - kf) the observance of epidemiological and food-hygienic requirements at foodstuff manufacturers and distributors,
    - kg) the observance of epidemiological and feedingstuff-hygienic requirements at feedingstuff manufacturers, utilizers and distributors,
    - kh) the feedingstuff to be used for the feeding of the animals, the pasture, the drinking water, the buildings serving for the placement of the animals, the facilities and equipments used during animal keeping, and the technology applied,
    - ki) the marketing and utilization of the veterinary medicinal product;
    - l) shall execute other duties defined in the legal rule.

### Section 37

(1) The official veterinarian operating at the veterinary border station (hereinafter: border station veterinarian)

- a) shall control the observance of the veterinary provisions in the trade passing the frontier of the country, shall execute the control of the goods imported into, taken out of and transported through the country;
- b) in case of goods subject to veterinary inspection shall check the existence and validity of the required preliminary animal health licence (hereinafter: licence), and the veterinary provenance and health certificate;
- c) shall check the identity of the goods, the means of transportation and the health status of the living animal and its suitability for being transported;

d) shall prohibit

- da) the importation of a sick animal, an animal suspicious of a disease or infection, and the product originating from such an animal into the country, its transportation through the country, and its taking out of the country, except when the legal rule provides otherwise as for importation,
- db) the importation of goods which are not accompanied by the prescribed license and certification into the country, and also its transportation through Hungary,
- dc) the entering into the country of goods arriving accompanied with the prescribed license and certification, but not meeting the requirements set out in those documents;
- e) if goods having arrived accompanied with the prescribed license and certification, but during the identity or other examinations falling under veterinary remonstrance
  - ea) arrived from a neighbouring country or with the purpose of being transported through the country, he shall direct its return,
  - eb) arrived not from a neighbouring country, but with a destination situated in Hungary, he shall let it enter the country, and simultaneously for the purpose of further measures to be taken he shall inform the station competent according to the place of destination and border station of the consignment and the Ministry;
  - f) simultaneously with letting the good enter the country he shall notify the station competent according to the place of destination;
  - g) shall execute other duties defined in the legal rule.

(2) The administration and entry into the country of the customs documents of goods subject to veterinary control may take place only after the execution of an inspection subject to payment of a fee defined in the legal rule and certified by the border station veterinarian.

(3) In the course of the execution of his duties the border station veterinarian --with the simultaneous notification of the station competent territorially -- may cooperate directly with the Ministry and the neighbouring foreign veterinary organisation of the same level, with the customs and finance guard organs, the plant sanitation authority, the frontier guard organisation and other organs.

### Section 38

(1) The official veterinarian operating at the food-hygienic sub-office (hereinafter: foodhygienic veterinarian)

- a) shall control the observance of food-hygienic conditions of the factory, the technology and process of manufacturing, the storage, the marketing, and the persons participating in these;
- b) shall check the certificates accompanying animals intended for human consumption;
- c) shall execute the inspection of the animal for slaughter, and the meat inspection of slaughtered (killed, caught, collected) animals, the inspection of foodstuffs of animal origin, and he shall judge their suitability for consumption;
- d) may execute empirical and instrumental examinations, sampling and supplementary examination, and he also may have a laboratory examination executed;
- e) shall certify the suitability of foodstuffs of animal origin for consumption;
- f) shall continuously check the marketing of animals, foodstuffs and products of animal origin;
- g) shall check the collection of animal tissues and organs suitable for pharmaceutical production;
- h) shall execute the duties defined under subsections f), g), h), i), j), kb), kf) of section 36;

- i) shall execute other duties defined in the legal rule.

(2) The foodhygienic veterinarian shall cooperate with public health and environmental protection authorities and with consumer protection organisation.

***Institutions exercising activities falling under the scope of veterinary responsibilities***

**Section 39**

(1) The national and animal health institutions operating with regional responsibility as public veterinary laboratories

- a) in the first place shall contribute to the assessment of the causes of animal diseases, the exploration of the level of infection, and the execution of local and national eradication and disease-elimination campaigns by means of their diagnostic and other professional examinations;
- b) shall contribute to the continuous modernization of diagnostic methods;
- c) shall produce and procure diagnostic substances and instruments with a view to the application of examination methods conforming to international requirements;
- d) in cooperation with the stations shall execute surveillance and target examinations on the basis of the commission of the Ministry;
- e) shall execute reference-laboratory duties on the basis of the designation of the Ministry;
- f) shall participate in research, and in the training of veterinarians and other veterinary experts;
- g) shall handle their examination results in the national diagnostic database operated by the veterinary institute with national competence;
- h) shall cooperate with the competent public health organs.

(2) The veterinary institute with national competence shall inspect the professional operation of the veterinary laboratories.

**Section 40**

The institution executing foodstuff-inspection duties with national competence on its field

- a) shall execute surveillance and target examinations on the fields of microbiology, chemistry and radiology;
- b) shall execute the duties of the reference laboratory, the qualification of foodstuff inspection laboratories and their control by means of all-around examinations on the basis of designation;
- c) shall continuously carry out required hygienic suitability inspection of foodstuff industry facilities and equipments, and shall give an expert opinion about the result of the inspection, or shall give a suitability certificate to the user of the equipment;
- d) shall participate in research, and in the training of veterinarians and other veterinary experts;

**Section 41**

(1) The institute executing the duties of the inspection of veterinary vaccines and medicine shall operate as a professional institution with a national competence

- a) in the registration procedures of veterinary medicinal products;
- b) in the inspection of the manufacturing circumstances of veterinary medicinal products, and that of the final product;
- c) in the control of veterinary medicinal products imported from abroad;
- d) in the investigation as regards vaccination accidents and those cases when the veterinary medicinal products have had no effect.

(2) The institute executing the duties defined under indent (1)

a) shall operate the central storage and collector of vaccination and diagnostic substances necessary for veterinary actions ordered by the state

b) shall participate in research, and in the training of veterinarians and other veterinary experts;

### ***Veterinary duties of the local municipality***

#### **Section 42**

(1) The assessment of the appointment of the veterinarian executing official duties in the area, and the assessment of the establishment of the veterinary area shall fall under the competence of the body of representatives of the local municipality (in the capital the body of capital district representatives).

(2) The local municipality as a compulsory duty shall provide for

a) the execution of duties relating to the rendering of waste of animal origin;

b) the catching, guarding and sale or rendering of stray dogs in the inner area of the habitation, and the execution of duties relating to the extermination without compensation of dogs and cats dangerous for men with a view to public health, and showing the symptoms or suspicious to a disease endangering the health of the animal stock;

c) the organisation of the compulsory rabies vaccination of dogs on the basis of registration and listing.

(3) On the inner area of the capital the capital municipality shall provide for the execution of duties relating to the catching, guarding, sale or rendering of stray dogs.

(4) The official measures to be taken --defined in a separate legal rule -- in the event of suspicion of notifiable animal diseases, and the keeping of the

registration of the wandering of the bees fall under the clerk's sphere of authority.

## **CHAPTER IV.**

### **FINAL PROVISIONS**

#### ***Animal health fine***

#### **Section 43**

(1) If the animal keeper violates the requirements defined under subsection (1) of section 5 --with the exception of subsection g)-- in an attributable manner, he is obliged to pay animal health fine. The imposing of the animal health fine is not relevant if one year has passed since the offence's having been reported to the veterinary authority, and if three years have passed since the commission of the offence.

(2) The animal health fine shall be established by the head of the station in a decision.

(3) The minimum amount of the fine is twenty thousand HUF, and the maximum amount of it is one million HUF. The amount of the fine shall be paid on the account of the station having imposed the fine, and the Ministry shall decide on the utilization of the sums received with a view to the execution of the animal health duties of the station.

#### ***Provisions for coming into force and amendment***

#### **Section 44**

This Act comes into force on the 1st of July 1996. at the same time the following shall be repealed:

a) Decree of Legal Force 3 of 1981, and section 4, and section 6, indent (1) of Act VII of 1991, and Act XVI of 1993 amending it;

b) section 39, subsection b), indent (1), and section 40, subsections a)-c), and section 41, indent (1) of Act XX of 1991 on the Sheres of Responsibilities and Competence of the Local

Municipalities and the Organs thereof, the Representatives of the Republic, and Certain Organs with Central Subordination;

- c) 1993/48 Governmental Regulation of 24. III. on the Application for and Administration of Cattle Licence;
- d) section 18 of 1991/44 Governmental Regulation of 14. III. on County (Capital) Agricultural Offices, and the Amendment of Certain Legal Rules Establishing Agricultural professional Technical Administration Responsibilities.

(2) The entrepreneur certificates for the rendering of waste of animal origin and licenses for the exercise of the activity issued before the coming into force of the Act are valid for another 180 days. During this period of time entrepreneurs executing the rendering of the waste of animal origin in compliance with earlier provisions are obliged to apply for a new license pursuant to indent (1) of section 10. Licenses for the manufacturing of minced meat shall be repealed after one year following the coming into force of the Act.

(3)<sup>1</sup>

(4)<sup>2</sup>

### Section 45

The Minister of Agriculture shall be authorized to establish in a regulation

1. the detailed rules relating to the implementation of the Act in the Animal Health Regulations, thus especially

- a) the detailed conditions of compensation,
- b) The detailed rules for activities relating to the rendering of waste of animal origin, and the measure of the fine in agreement with the

<sup>1</sup> Incorporated: section 16, subsection b) of Act CXIV of 1993.

<sup>2</sup> Incorporated: section 33, indent (2), subsection 25 of Act XCIII of 1990

Minister for the Protection of the Environment and Regional Development and the Minister of Public Welfare,<sup>23</sup>

- c) the conditions of the veterinary restrictive measures,
- d) the veterinary conditions of the international trade of the goods falling under the scope of the Act,
- e) the rules of food-hygiene in agreement with the Minister of Public Welfare,
- f) the rules of feedingstuff-hygiene in agreement with the Minister of Public Welfare,
- g) the conditions of the trade and transportation of the animals, products of animal origin, foodstuffs and feedingstuffs;

2. in the event of a danger of epidemic the measure of the payment and payment of expenses of the employment for public purposes;

3. the sphere, rate of fees and procedure rules of responsibilities subject to payment of charge;

4. the manufacturing, registration, putting into circulation, distribution and utilization of veterinary medicinal products;<sup>34</sup>

5. the detailed rules relating to the application for and administration of the cattle licence;<sup>45</sup>

6. annually the upper limit of the compensation due in the event of epidemiological measure --on the basis of the rate of inflation officially promulgated by the Central Statistical Office-- within sixty days of the promulgation of the Finance Act;

7. further veterinary conditions in compliance with section 19; and

8. to designate the institutions exercising activities falling under the sphere of veterinary responsibilities .

<sup>3</sup> See: 1997/10 FM Regulation of 12. II.

<sup>4</sup> See: 1996/22 FM Regulation of 9. VII.

<sup>5</sup> See: 1996/21 FM Regulation of 9. VII.

**ANNEX 1 TO ACT XCI OF 1995 ON ANIMAL HEALTH**

**Notifiable animal diseases**

1. Foot-and-mouth disease
2. Vesicular stomatitis
3. Swine vesicular disease (SVD)
4. Rinderpest
5. Peste des petits ruminants
6. Contagious bovine pleuropneumonia
7. Lumpy skin disease
8. Rift-Valley fever
9. Bluetongue
10. Sheep pox and goat pox
11. African horse sickness
12. African swine fever
13. Classical swine fever (hog cholera)
14. Highly pathogenic avian influenza (fowl plague)
15. Newcastle-disease
16. Bovine tuberculosis
17. Porcine enteroviral encephalomyelitis  
(previously Teschen/Talfan disease)
18. Rabies
19. Glanders
20. Dourine
21. Equine infectious anaemia
22. Equine encephalomyelitis (Eastern or Western)
23. Viral haemorrhagic disease of rabbits
24. American and European foulbrood
25. Bovine spongiform encephalopathy (BSE)
26. Porcine reproductive and respiratory syndrome
27. Brucellosis

28. Duck virus enteritis
29. Aujeszky's disease
30. Anthrax
31. Scabies
32. Enzootic bovine leukosis
33. Spring viremia of carps
34. Infectious hematopoietic necrosis of trouts

**ANNEX 2 TO ACT XCI OF 1995 ON ANIMAL HEALTH**

**The measure of compensation due in the event of taking epidemiological measures**

1. The measure of compensation due pursuant to indent (1) of section 8 is the 90 % of the market value of the animal, substance, instrument or object, but as regards the individual animal species it may not exceed the following maximum sums per animal:

horse	450 000 HUF
cattle	200 000 HUF
swine	70 000 HUF
sheep	20 000 HUF
goat	10 000 HUF
poultry	1 500 HUF
colony of bees	6 000 HUF
rabbit	1 000 HUF

2. The amount of the compensation shall be reduced

- a) by 10 per cent if in the concerned herd there are
- more than 300 cattles



- more than 3000 swines
- more than 20 000 laying hens
- more than 30 000 broilers
- bred;
- b) by 20 per cent if in the concerned herd there are
- more than 6000 swines
- more than 50 000 laying hens
- more than 100 000 broilers
- bred.

### ANNEX 3 TO ACT XCI ON ANIMAL HEALTH

#### **The measure of the fee to be paid for the taking out and the administration of the animal passport**

1. As regards horses, donkeys, mules, cattle and buffalos

- a) for the taking out of the cattle licence for the first time 300 HUF
- b) for the making out of the duplicate copy of the cattle licence 300 HUF
- c) for the registration of administration provision 200 HUF
- d) for the renewal of animal health certificate 50 HUF

2. As regards swines, sheep, goats and wild cloven hoofed domestic animals bred in an enclosed place (eg. wildboar, fallow-deer, roe-deer, deer, moufflon)

- a) for the taking out of the individual animal passport for the first time 100 HUF
- b) for the administration provisions listed under

subsections b), c), d) of indent 1 uniformly  
50 HUF

3. As regards animals listed under indent 2

- a) for the taking out of the collective cattle licence for 1-35 animals 100 HUF
- b) for the administration provisions listed under subsections b), c), d) of indent 1 uniformly 50 HUF

4. For the registration from the collective animal passport,

independent of the number of animals uniformly  
100 HUF

5. For the replacement of a lost animal passport double the price of the taking out of the animal passport for the first time shall be paid.

6. For the replacement of a damaged animal passport the price of the taking out of the animal passport for the first time shall be paid.

7. For the registration of a change of ownership the price of the first taking out of the animal passport shall be paid.

8. The fee includes the charges of the printed matter of animal passport as well.

## Annex IV

### Act XXII. of 2001.

#### On the Amendment of Act XCI. of 1995. on Veterinary Issues<sup>\*</sup>

**Article 1.** (1) Point 2. of Article 2. of Act XCI. of 1995. on Veterinary Issues (hereinafter called 'AVI') shall be replaced by the following provision:

*(In the application of this Act)*

"2. *veterinary service (private veterinary) practice*: activity falling within the Act XCIV. of 1995. on the Hungarian Veterinary Chamber and on the private veterinary practice;"

(2) Point 15. of Article 2. of AVI shall be replaced by the following provision:

"15. *inactivation of animal waste*: a procedure, as a result of which the animal waste is incapable of spreading diseases, the environmental stress caused by the waste decreases, and the harmful effects of the waste, polluting and endangering the environment, are eliminated and excluded;"

(3) Point 24. of Article 2. of AVI shall be replaced by the following provision:

*(In the application of this Act)*

"24. *official veterinary activity*: the administrative, authorising and controlling activity of the State in the fields of veterinary issues;"

(4) Point 28. of Article 2. of AVI shall be replaced by the following provision:

*(In the application of this Act)*

"28. *application of territorial (regional) principle*: in case of an outbreak of an infectious veterinary disease, able to cause great economical loss, and in relation of which the importer countries apply or may apply restrictions on those consignments originating from Hungary that are obliged to veterinary examination, the application of the principle means the determination of the geographical or administrative area, where special veterinary measures can be implemented in order to prevent the spreading of the infection through live animals, propagation materials, animal products, fodder, or any other goods capable to spread the infection;"

(5) Article 2. of AVI shall be supplemented with the following Point 37:

*(In the application of this Act)*

"37. *food safety of an animal product*: a system of conditions and procedures concerning veterinary issues, which includes the prevention and elimination of the effects of all those factors that cause, during the production of food of animal origin, such changes that expose the consumers' health to danger. This estimation concerning food safety is the basis of a judgement on whether the food is suitable for consumption.

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<sup>\*</sup> The Act was adopted by the Parliament on the 29<sup>th</sup> of May, 2001.

**Article 2.** Point b) of Paragraph (1) of Article 5. of AVI shall be replaced by the following provision:

*(The stock farmer is obliged to)*

“b) In case of keeping a certain number of animals laid down according to species in law, *the stock farmer is obliged to* keep a record of the animals, ensure the veterinary service by written contract, and inform the veterinary practitioner in charge of the surveillance of the animals, or the notary of the local authority, of the number and species of the animals, the place where they are kept as well as of any changes concerning the above data;”

**Article 3.** Article 6. of AVI shall be supplemented with the following Paragraph (7):

“(7) In case of an outbreak of an infectious veterinary disease able to cause great economical loss or interfering with international trade, the ministry may apply the territorial principle to ban the transport of live animals, propagation materials, animal products and foods of animal origin, fodder, or any other goods capable to spread the infection, and may implement further veterinary measures.”

**Article 4. (1)** In Paragraph (1) of Article 7. of AVI, the words “veterinary service” shall be replaced by the words “veterinary service (private veterinary)”.

**(2)** Paragraphs (2) and (3) of Article 7. of AVI shall be replaced by the following provisions:

“(2) In case of occurrence or a suspicion of a notifiable veterinary disease, the private veterinary is obliged to report it immediately to the district chief veterinary, and to proceed as directed in Point a) of Article 36. and give the necessary instructions to stock farmers.

(3) In case of performance of certain obligations provided for in a separate statute, and in agreement with the Hungarian Veterinarian Chamber, the private veterinary may be employed by the head of the competent County Veterinary Station – for a compensation and by refunding of costs – for official tasks laid down in Article 36.”

**Article 5. (1)** Paragraph (1) of Article 8. of AVI shall be replaced by the following provision:

“(1) In case of prescription of epidemiological measures specified in Points h)–n) of Paragraph (4) of Article 6, the owner of the animal perished or slaughtered, or of the material, equipment or object destroyed because of the disease denominated in Annex 1, is entitled to compensation – with the exceptions given in Paragraph (4).”

**(2)** Paragraph (3) of Article 8. of AVI shall be replaced by the following provision:

“(3) The amount of compensation is the market value of the animal, material, equipment or object. The detailed rules of the loss assessment and the payment are laid down in a separate statute. The payment of the compensation is provided for in the decision for prescription.”

**Article 6.** Paragraph (3) of Article 9. of AVI shall be replaced by the following provision:

“(3) The inactivation of the animal waste coming from the prevention, localisation and eradication of the veterinary diseases denominated in Annex 1. is a State task, the implementation of which is arranged by the Station responsible for the district where the animal waste is.”

**Article 7.** Paragraph (2) of Article 10. of AVI shall be replaced by the following provision:

“(2) The licence is issued by the Station competent at the registered site of the entrepreneur, with the consent of the environmental authority competent in the given district. If the animal waste collection involves the territory of several stations, or if the entrepreneur has several registered sites, it is necessary to have the consent of the Station of the area of collection, that of the Station of the registered site, and that of the environmental authority, to issue the licence.”

**Article 8. (1)** Paragraph (1) of Article 13. of AVI shall be replaced by the following provision:

“(1) In order to verify the ownership of the animals as well as their veterinary negotiability the stock farmer is obliged – in cases laid down in law – to take out a cattle licence, or an equivalent document (hereinafter called the ‘cattle licence’) defined in a separate statute for the following animals: horse, ass, mule, cattle, buffalo, pig, sheep, goat, and cloven-hoofed wild animals bred in confinement (e.g. boar, fallow deer, roe, deer, mouflon).”

(2) Paragraph (3) of Article 13. of AVI shall be replaced by the following provision:

“(3) The cattle licence is made out – on payment of a fee – by the local authority competent according to the place of keeping, acquisition or alienation of the animals; by the notary of the district authority in the capital (hereinafter called the ‘notary’); or an organ or organisation defined in a separate statute.”

(3) Paragraph (6) of Article 13. of AVI shall be replaced by the following provision:

“(6) The stock farmer is obliged to pay the fee due for the cattle licence to the organ making out the cattle licence in cash. The amount paid is the revenue of the organ making out the cattle licence.”

(4) Paragraph (7) of Article 13. of AVI shall be replaced by the following provision:

“(7) In case that several administrative actions are performed in one procedure on the same cattle licence, or on the same occasion and in relation with the same animal (e.g. an administrative measure and making out a cattle licence), the fee must be paid only once; the amount is determined according to the highest tariff imposed on the actual measures.”

**Article 9.** Article 18. of AVI shall be supplemented with the following Paragraphs (5)–(7):

“(5) The veterinary control must be carried out always at the place of origin, while the random check is done at the place of destination.

(6) In accordance with the rules of the single market, the veterinary control must be carried out at the Hungarian border posts constituting the exterior border of the European Union. Then the consignment may be transported freely on the territory of the single internal market.

(7) Detailed rules of the controls covered by Paragraphs (5)–(6) are laid down in a separate statute.”

**Article 10.** Article 22. of AVI shall be replaced by the following provision:

“Article 22. It is only the District Chief Veterinary who may order the materials necessary for the implementation of the programs for the elimination and eradication of the diseases specified in Point h) of Paragraph (1) of Article 26. and Point f) of Article 29.

**Article 11.** Point c) of Paragraph (1) of Article 23. of AVI shall be replaced by the following provision:

*(The veterinary administration is provided)*

“c) by the station as a territorial veterinary organ; in tasks relating to the safety of production of food of animal origin, by the station and by the institution to be established on the basis of the present Act;”

**Article 12.** Point b) of Paragraph (3) of Article 23. of AVI shall be replaced by the following provision:

*[Is considered to be a veterinary surgeon after Point d) of Paragraph (1)]*

“b) by the Head of the station, to the territory of competence of the station, or for the task;”

**Article 13.** Paragraphs (5) and (6) of Article 23. of AVI shall be replaced by the following provisions:

“(5) The Head of the station sets up veterinary districts; the activity of the official veterinarians working there is directed by the District Chief Veterinarian.

(6) In order to implement the measures for the prevention and eradication of the notifiable veterinary diseases specified in Annex 1, the Head of the station has right to employ a private veterinary who is obliged to fulfil the task for a compensation and by refunding of costs.”

**Article 14.** Point m) of Article 29 of the Act on Veterinary Issues (hereinafter AVI) shall be replaced by the following provision:

*(The ministry, within the tasks of controlling and organizing veterinary issues )*

“m) organizes - together with the Hungarian Veterinary Chamber - the public involvement of private veterinary practitioners all over the country;”

**Article 15.** Article 29 of the AVI shall be supplemented with the following point n):

*(The Ministry, within the tasks of controlling and organizing veterinary issues )*

“n) Co-ordinates the prevention and eradication of the disease in case of imminent danger of epidemic, all over the country. Within the frames of protection the Ministry may share the tasks among the veterinary authorities and other organizations of the veterinary service

differently than declared in this Act. The measures taken by the Ministry may be supervised by the Standing Veterinary Committee of the European Union."

**Article 16** Point *b*) of Article 32 of the AVI shall be replaced by the following provision:  
(*The station, within the tasks of controlling and organizing veterinary issues*)  
*b*) Maintains a laboratory in support of official decisions;"

**Article 17** Points *ba*) and *bb*) of Article 34 of the AVI shall be replaced by the following provisions:  
(*The station, as the special authority for the implementation of veterinary requirements,*  
*b*) *approves or does not approve*)

*ba*) the establishment of places under the control of epidemiological supervision (places in which gathering, storing, processing and marketing of raw products and wastes of animal origin are performed, and/or hatcheries, pastures, watering places),  
*bb*) the establishment of livestock markets, loading platforms for animals, places for the buying up of animals, animal shows, exhibitions and races, shelters, pensions and crematories for animals, zoos, pet shops and game parks."

**Article 18** Article 35 of the AVI shall be replaced by the following provision:  
"Article 35: Within his sphere of authority the District Chief Veterinary  
*a*) organizes, directs and controls the official veterinary practitioners and those who perform official tasks during their works;  
*b*) in cases of slaughter and compensation acts as the primary authority."

Article 19 First sentence of Article 36 of the AVI shall be replaced by the following provision:  
"Article 36: The official veterinary"

(2) Points *e*)-*g*) of Article 36 of the AVI shall be replaced by the following provisions:  
(*the official veterinary*)  
"e) co-ordinates and controls the performance of veterinary tasks (obligatory vaccinations, diagnostic analysis, prevention of parasitic infestations, etc.) prescribed by statutes, and in reasonable cases (as defined in separate statute) takes part in their performance;  
f) in accordance with the separate statute, performs and controls the examinations of meat originating from animals slaughtered for public consumption or for other purposes;  
g) in accordance with the separate statute, authorizes and controls the inland transportation of goods falling within this law;"

(3) Point *i*) of Article 36 of the AVI shall be replaced by the following provision:  
(*the official veterinary*)  
"i) in accordance with the separate statute, controls the domestic trade of imported goods falling within this law and performs its veterinary supervision.

(4) Article 36 of the AVI shall be supplemented with the following Point *m*):  
(*the official veterinary*)  
" *m*) in accordance with the separate statute, controls:  
1. consignments imported from third countries - at the external borders of the EU,  
2. consignments to be exported into third countries - at the place of dispatch,  
3. consignments to be exported into EU member states - at the place of dispatch,

4. consignments imported from EU member states or from third countries - at the place of destination, as a random check."

**Article 20** Point c) of Paragraph (2) of Article 42 shall be replaced by the following provision:

*(as its obligatory task, the local authority performs)*

"c) the organization of the obligatory vaccination of dogs against rabies - with the assistance of the District Chief Veterinary - on the base of lists and registration."

**Article 21** Paragraph (1) of Article 43 of the AVI shall be replaced by the following provision:

"(1) Veterinary fine should be imposed upon those people who infringe - through their own faults - on the prescriptions covered by Paragraph (1) of Article 5 and/or Paragraphs (2)-(4) of Article 5. There is no opportunity to impose veterinary fine on cases in which the interval between the act and its acknowledgement by the veterinary authority is more than one year, or three years expired after the act was committed."

**Article 22** Point 6 of Article 45 of the AVI shall be replaced by the following provision:  
*(The Minister of Agriculture and Regional Development is authorised to establish in a decree)*

"6. the ceiling of the compensation concerning the epidemiological measures in every year, on the base of the inflation rate published by the Central Office of Statistics, within 30 days following its publication;"

(2) Article 45 of AVI shall be supplemented by the following points 9-11:

*(The Minister of Agriculture and Regional Development is authorised to establish in a decree)*

"9. the institution performing the tasks defined in this Act and its implementing decrees concerning production safety of foodstuffs of animal origin, and establishes the rules of its operation;

10. the rules concerning the application of electro-medical devices used in the field of zootherapy;

11. the rules issued for the sake of harmonization with the veterinary legislation of the European Community."

**Article 23** The AVI shall be supplemented with the following title and a new Article 46:

*"Harmonization with the law of the European Community"*

This Act contains legislation-in accordance with Article 3 of the Act No I/1994 on the publication of the European Agreement, signed in Brussels on 16<sup>th</sup> of December, 1991, concerning the establishment of the association between the European community and its member states and the Hungarian Republic - partly compatible with the following statutes of the European Community:

a) Council Directive No 64/432/EEC on the veterinary problems concerning the trade of bovine and porcine animals;

b) Council Directive No 80/217/EEC on the introduction of measures on community level for the control of classical swine fever;

c) Council Directive No 82/894/EEC on the notifiable animal diseases within the Community;

d) Council Directive No 85/511/EEC on the introduction of Community measures against foot and mouth disease;



- e) Council Directive No 89/662/EEC on the regulation of veterinary control of trade within the Community regarding the single inner market;
- f) Council Directive No 90/425/EEC on the veterinary and breeding controls applicable for trade of live animals and products of animal origin within the Community;
- g) Council Directive No 91/496/EEC on the principles determining the organization of veterinary control of animals imported from third countries and on the amendments of Council Directives No 89/662/EEC, No 90/425/EEC and No 90/675/EEC."

#### **Article 24**

(1) Point 22 of Annex 1 of the AVI shall be supplemented with the text "*(Eastern, Western, Venezuelan)*".

(2) Point 26 of Annex 1 of the AVI shall be replaced by the following text:

"26. diseases of seashells (*Bonamia ostreae*, *Mareilia refringens*)"

(3) Annex 1 of the AVI shall be supplemented with the following points 35-36.:

*(Notifiable diseases of animals)*

"35. Scrapie

36. Viral haemorrhagic septicaemia (VHS) in trout"

#### **Article 25**

(1) This Act - excepted Paragraph (2) of Article 5, Articles 9 and 15 and Paragraph (4) of Article 19 - is coming into force on the 30<sup>th</sup> day following its publication.

(2) Paragraph (2) of Article 5, Articles 9 and 15 and Paragraph (4) of Article 19 of this Act shall come into force on the day on which the Act on the international contract concerning the accession of the Hungarian Republic to the European Union is coming into force.

Simultaneously, point 6 of Article 45 and Annex 2 of the AVI shall be repealed.

(3) As this Act is coming into force point *f*) paragraph (4) of Article 8, point *a*) paragraph (1) of Article 27 and paragraph (1) of Article 42 are repealed at the same time.

Ferenc Mádl  
the President of the  
Hungarian Republic

János Áder  
the President of the  
Hungarian Parliament

## **Annex V**

### **The selected parts of the Zoosanitary Code (Decree No. 41/1997 (V.28.) MA of Minister of Agriculture) regarding CSF English text\***

#### **DECREE**

**No. 41/1997 (V.28.) MA**

**of the Minister of Agriculture**

**laying down the Animal Health Code**

Authorised by paragraph 1 of Section 45 of Act 1995/XCI concerning animal health protection, in agreement with the competent ministers I hereby decree the following:

#### **Section 1**

I hereby issue the Animal Health Code (hereinafter to be referred to as AHC) as Annex 1 of the present regulation (hereinafter to be referred to as R.), which is to be published in the Bulletin of Agriculture and Provisions.

#### **Section 2**

(1) A measure for epidemic diseases rendered by the county/capital stations of veterinary hygiene and provisions control (hereinafter to be referred to as station) competent by place of origin of the waste, the compulsory neutralisation of animal waste—as specified in paragraph 14 of Section 2 of the Act—arising from the prevention, detection and eradication of epidemic animal diseases defined by paragraph 3 of Section 9 of the Act shall be undertaken by a denoted Contractor, who shall be offered a fee to the debit of the resource authorised in the central budget as the compensation for animal damages.  
Transferring the fees to the Contractor against the invoice certifying the completion of work is the responsibility of the station ordering the neutralisation.  
The invoice made out by the Contractor is verified by the station.  
The amount of fees in connection with the neutralisation of animal waste in compliance with paragraph 1 is included in Annex 2 of the Regulation.

#### **Section 3**

The present Regulation is to enter into force on the 1<sup>st</sup> of July, 1997 with the following becoming invalid simultaneously:

a) Regulation 6/1981 (IV.12.) of the Ministry of Agriculture and Provisions (hereinafter to be referred to as MAP) issued for the execution of Regulation Law 3/1981, and amended by MAP Regulation 23/1981 (XI.26.); Section 1 the MAP Regulation 28/1982 (XII.24.); MAP Regulation 3/1986 (II.21.); Section 4 of Regulation 3/1992 (II.10.) of the Ministry of Agriculture (hereinafter to be referred to

\* The English version is not audited by special (vet) English lecturer

as MA); MA Regulation 39/1993 (IX.16.); MA Regulation 43/1995 (XII.22.); MA Regulation 12/1996 (V.7.).

b) MAP Regulation 28/1981 (XII.30.) concerning the emission of the Veterinary Regulations, amended by Section 2 and Annex 1 of MAP Regulation 28/1982 (XII.24.); MAP Regulation 1/1987 (I.31.); MAP Regulation 5/1989 (IV.7.); Sections 5-6 of MA Regulation 3/1992 (II.10.).

c) MAP Regulation 29/1981 (XII.30.) concerning the state support for the exemption of cattle populations from pleural tuberculosis and brucellosis, Section 3 of MAP Regulation 28/1982 (XII.24.) modifying it.

d) MAP-Ministry of Health Joint Regulation 30/1981 (XII.30.) concerning the food-hygienic examination and checking of foods of animal origin, Section 4 and Annex 2 of MAP Regulation 28/1982 (XII.24.) amending it, MA-Ministry of Welfare Joint Regulation 16/1992 (V.26.), paragraph 11 of Section 18 of MA Regulation 9/1994 (III.10.).

e) MA Regulation 1/1982 (I.1.) concerning the hygienic requirements of undertakings manufacturing protein-based feedingstuffs of animal origin, amended by Section 5 and Annex 3 of MAP Regulation 28/1982 (XII.24.), Section 3 of MAP Regulation 9/1990 (IV.30.)

f) MAP Regulation 3/1982 (I.16.) concerning the employment and tasks of veterinarians and other animal health experts and Section 6 of MAP Regulation 28/1982 (XII.24.) amending it.

g) MAP Regulation 17/1986 (X.30.) concerning the amendment of specific Regulations on the gathering and processing of carcasses, wastes and by-products of animal origin.

h) MAP Regulation 11/1990 (IV.30.) concerning the amendments of specific provisions of law on animal health.

i) MA Regulation 10/1997 (II.12.) concerning the fees awarded for the officially ordered neutralisation of animal waste.

(2) The present Regulation is intended to approach the provisions of law of the European Community on the basis of Act 1 of the year 1994, concerning the announcement of the European Agreement. The specification of community laws decisive and considered during the elaboration of the present Regulation are included in Annex 3.